



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § AGREED
License Number 556020 and §
Vocational Nurse License Number §
121942 issued to JANIE RUTH WEHRMANN LEOS § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JANIE RUTH WEHRMANN LEOS, Registered Nurse License Number 556020 and Vocational Nurse License Number 121942, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(13), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on May 21, 2009, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas. Respondent's license to practice vocational nursing in the State of Texas is currently in "delinquent" status.
4. Respondent received a Certificate in Vocational Nursing from McLennan Community College, Waco, Texas, on August 11, 1988, and received an Associate Degree in Nurisng from McLennan Community College, Waco, Texas, on May 18, 1989. Respondent was licensed to practice vocational nursing in the State of Texas on December 8, 1989, and was licensed to practice professional nursing in the State of Texas on August 25, 1989.

5. Respondent's nursing employment history includes:

05/1989 - 01/1990	Telemetry Nurse	Providence Hospital Waco, Texas
02/1990 - 10/1992	Intensive Care Unit (ICU) Staff Nurse	Coryell Memorial Hospital Gatesville, Texas
11/1992 - 12/1997	Managing Coordinator Community Based Alternatives (CBA) Program	Coryell Memorial Hospital Gatesville, Texas
01/1998 - 06/1999	Director of Nursing	Clifton Lutheran Sunset Home Clifton, Texas
07/1999 - 02/2001	Emergency Department/ ICU Nurse	Coryell Memorial Hospital Gatesville, Texas
03/2001 - 05/2002	Long Term Care Surveyor/ Investigator	Texas Department of Human Services Temple, Texas
06/2002 - 06/2005	Director of Nursing	The Meadows Gatesville, Texas
07/2005 - 03/2006	Education Coordinator	Clifton Lutheran Sunset Home Clifton, Texas
04/2006 - 08/2006	Unknown	
09/2006 - 04/2007	Director of Nursing	Wellington Place Living and Rehabilitation Center Temple, Texas
05/2007 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Director of Nursing with Wellington Place Living and Rehabilitation Center, Temple, Texas, and had been in this position for one (1) month.

7. On or about October 15, 2006, through March 16, 2007, while employed as Director of Nurses with Wellington Place Living and Rehabilitation Center, Temple, Texas, Respondent failed to initiate effective, appropriate interventions when Resident B. K. exhibited verbally and physically abusive behavior toward other residents. Respondent's conduct was likely to result in physical and/or emotional injury of the other residents under her care.

8. In response to the incidents in Finding of Fact Number Seven (7), Respondent states that she made interventions such as writing an Incident Report, counseling with the family, having the residents assessed by the charge nurses, notifying physicians and family, and notifying the Social Worker. The daughter of Resident B. K. agreed to change physicians so there could be more medical intervention regarding the behaviors of Resident B. K. Resident B. K. was medicated with Depakote. A "STOP" sign was placed on the door of Resident B. K. to prevent other residents from wandering into his room. A referral for psychological services for Resident B. K. was obtained and his behavior was monitored by staff.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555 , the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(M)&(3)(A) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4)&(6)(C).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 556020 and Vocational Nurse License Number 121942 heretofore issued to JANIE RUTH WEHRMANN LEOS, including revocation of Respondent's licenses to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's licenses are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:*
<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in “Detecting and Preventing Abuse and Neglect,” a six (6) contact hour workshop presented in various locations by the Texas Department of Aging and Disability Services. In order to receive credit for completion of this workshop, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this workshop to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following website: <http://www.dads.state.tx.us/providers/training/jointtraining.cfm> or by contacting (512) 438-2201.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in “Resident Rights and Quality of Life,” a 6.3 contact hours workshop presented in various locations by the Texas Department of Aging and Disability Services. In order to receive credit for completion of this workshop, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this workshop to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following website: www.dads.state.tx.us/business/ltr/Training/jointtraining.cfm or by contacting (512) 438-2201.*

(4) RESPONDENT SHALL, within one (1) year of entry of this Order successfully complete the course “Sharpening Critical Thinking Skills,” a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of

Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following web address: <http://www.learningext.com/products/generalce/critical/ctabout.asp>.*

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's licenses and RESPONDENT shall be eligible for multistate licensure privileges, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 8th day of July, 2009.

Janie Ruth Wehrmann Leos
JANIE RUTH WEHRMANN LEOS, Respondent

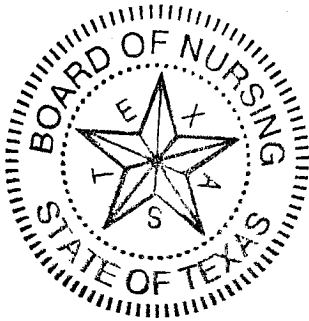
Sworn to and subscribed before me this 8th day of July, 2009

SEAL



Gale Gregory
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 8th day of July, 2009, by JANIE RUTH WEHRMANN LEOS, Registered Nurse License Number 556020 and Vocational Nurse License Number 121942, and said Order is final.



Effective this 13th day of July, 2009.

A handwritten signature in cursive script, reading 'Katherine A. Thomas', is written over a horizontal line.

Katherine A. Thomas, MN, RN
Executive Director on behalf
of said Board